

theless the General Assembly cannot pass a law which exempts one county. You can have a local law which applies to twelve and would meet the Clagett test, but on the other hand you could have a law which pertains to all counties and exempts twelve and it does not meet the Clagett test. That is confusing.

If you vote in favor of mine which is merely a clarifying one, you make it clear that in these areas the General Assembly can treat any way it wants to these areas and it can vary. As to whether you think any one of these areas ought to be varied and you want to change it, vote on that later, but make it clear. My amendment merely permits the General Assembly to treat these areas any way it wants to.

Delegate Clagett's language merely confuses the issue. I do not understand it myself except that I know it confuses it tremendously.

THE PRESIDENT: Delegate Clagett.

DELEGATE CLAGETT: Mr. President, the best possible way to defeat something which is very simple is to accuse it of being complicated and say that you cannot understand it. I sincerely tell you that I know Delegate Carson does understand it.

I know that Delegate Moser does understand it, but I can tell you that I honestly do not understand Delegate Moser's opposition and I do not understand Delegate Carson's.

Now, let us get down to what I said before—

THE PRESIDENT: Delegate Clagett, Delegate Pullen would like to know if you would yield to a question.

DELEGATE CLAGETT: I based my position and amendment upon a simple reading of section 7.06 and the clear intent of the clear language of 7.06, and I read it in case you did not have it available. You would hear that that made one limitation and lifted that limitation, namely, the limitation upon the General Assembly that it should pass only public, general laws.

There are eight exceptions in 3.23. You can pass local laws there, but you have got to do it right. You cannot do it by the back door.

THE PRESIDENT: Delegate Clagett, do you yield to a question?

DELEGATE CLAGETT: Yes, sir.

THE PRESIDENT: Delegate Pullen, Delegate Clagett has slightly more than a

half minute. Can you make your question brief and I will ask him to make his answer equally brief.

DELEGATE PULLEN: I think maybe I had better put the question in the form of a statement. The very simple thing that I want to clear up on this is: is your intent in respect to substance different from the intent of Mr. Carson, shorn of all legalistic language? What is the difference in intent between you and Mr. Carson?

THE PRESIDENT: Delegate Clagett.

DELEGATE CLAGETT: Delegate Pullen, the simple difference is that the original intention of the Local Government Committee was that the two limitations, limitation upon the General Assembly to enact only public, general laws, and the limitation that no general law should have a county exempt from it, are by this amendment both lifted insofar as the eight exceptions which appear in 3.23.

By my amendment the limitation upon the General Assembly to pass general laws, but that no county shall be exempt therefrom, is eliminated, and so my amendment says that the General Assembly may enact only public, general laws except that in the eight areas listed it may enact local laws.

THE PRESIDENT: Delegate Clagett, your time has expired, but by the look on Delegate Pullen's face the question has not been answered. The Chair does not have a limitation of time so I will endeavor to give you the answer if I can.

The section at the present time in the first several sentences has two limitations or restrictions. One is that the General Assembly shall pass no local laws, but shall pass only public general laws. The second is that no county shall be exempt from a public general law. In the latter part of the section there are listed eight groups of cases, situations.

Delegate Carson's amendment says that the General Assembly is free to act in those eight situations without regard to either of the two limitations in the first part of the section.

Delegate Clagett's amendment says that the legislature is free to act in those eight situations without regard to the first limitation in the section, but subject to the second limitation. In other words, under Delegate Carson's amendment the legislature may act in the eight situations without regard to the requirement that it en-